

PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE VS. JOSE CATALUÑA, DEFENDANT AND APPELLANT.*G.R. No. L-4071. March 12, 1952*

Ponente: JUGO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/67a6a66837b7/>**JUGO, J.:**

Jose Cataluña was charged before the People's Court, with the crime of treason, consisting of thirteen counts. After the abolition of the People's Court the case was transferred to the Court of First Instance of Isabela. After trial, the court found the defendant guilty of Counts 8, 9, 11, 12, and 13, and sentenced him to suffer the penalty of reclusion perpetua, with the accessory penalties of the law, to Indemnify the heirs of the deceased Ricardo Martinez in the sum at P6,000.00, to pay a fine of P10,000.00, and the costs. He appealed.

With reference to Counts 1, 2, and 3, the evidence presented with regard to them was considered only as proofs of adherence to the enemy, for lack of two witnesses.

The defendant Jose Cataluña was 51 years of age, married, resident of Gamu, Isabela, and a native born citizen of the Philippines as admitted by himself.

Before the war he was holding the position of municipal councilor of San Mariano, Isabela. On January 8, 1943, he was appointed by the occupation authorities municipal mayor of Gamu, Isabela, which position he held until January 29, 1945. Most of the acts charged against him were committed while he was municipal mayor of Gamu. As acts of adherence, the following have been proven:

While he was holding the position of mayor of Gamu he, armed with a revolver and a saber and wearing a Japanese Army cap, frequently accompanied the Japanese soldiers, helping in the arrest of guerrillas and guerrilla sympathizers and commandeering food from the barrio residents for the use of the Japanese forces.

In April, 1943, when Agaton Portera arrived in the municipality of San Mariano, Isabela, he was detained by the defendant and ordered to serve as a carrier for thirty Japanese soldiers. The defendant ordered Portera to go with him to the municipality of Palanan, Isabela. Portera refused at first, but was slapped by the defendant and warned that if he persisted in his refusal he would be killed. Portera complied with the order. In Palanan the defendant told Portera to gather from the residents rice and salt for the Japanese soldiers. In said town the defendant organized five or six dancing parties for the Japanese soldiers and after the dance he assigned one girl to each Japanese.

In March, 1943, the defendant called together the people of barrio Guibang, Gamu, Isabela, in order to choose a successor to the deceased barrio lieutenant Jose Monterial. The position was offered to Salvador Nieto, who declined it saying that he was a mere evacuee from Ilagan. The defendant threatened him saying that he would be subjected to water cure and be considered a guerilla if he refused. In view of this threat, Nieto accepted the position. One month later the defendant accepted the resignation of Nieto in consideration of the sum of P50.00 in genuine Philippine Currency given by Nieto to the defendant. In the above-mentioned gathering, the defendant

asked the people to give through him eggs and rice to the Japanese, saying that the Americans would never return and that the government of the country would be the one established by the Imperial Japanese Government.

In December, 1942, the appellant, suspecting that Ricardo Martinez was a guerrilla, arrested him with the help of two Japanese soldiers and tortured him to death. He had him buried in the cemetery of Gamu.

As an overt act of treason under Count No. 8, the appellant organized an association known as "Invincible Youth of Gamu" whose members were ordered by him to guard the local Japanese garrison and to go on patrol with Japanese soldiers in search of guerrillas. Four witnesses testified to these acts of the accused, namely: Mariano Ramirez, Ermando Kumigad, Eugenio Pagao, and Nicanor Darbin. Those members of the association who refused to obey the orders of the defendant in regard to the guarding of the Japanese garrisons and patrolling in search of guerrillas, were detained without food for one day and threatened with more severe punishment if they persisted in disobeying. The members were compelled to roam around the country with the appellant in search of guerrillas in the day and nighttime. Those who refused to join the organization were punished.

As to Count No. 9, on November 8, 1944, the defendant with three Japanese soldiers apprehended Felipe de la Cruz as a guerilla suspect. He has never returned home nor heard from again. This charge is sustained by the two witnesses, Petronila Agub and Nicolasa Maneja.

As to Count No. 11, on February 26, 1945, the appellant and two Japanese soldiers arrested Vicente Carag, a Usaffe officer and his wife Rosa Castillejo de Carag, as guerrilla suspects, and took them to the Japanese garrison. There Vicente Carag was cruelly tortured to death. This charge is proven, by the testimony of Rosa Castillejo Vda. de Carag and Rosario Derupe.

As to Count No. 12, it was proven that on March 2, 1945, the defendant, with six Japanese soldiers and the chief of police of Gamu, arrested and tortured several men residing in barrio Guibang, Gamu, Isabela, among the victims being Aurelio Cuesta, Marcelino Liquigan, Pedro Gumpay, Felix Molina, Fernando Maranan, Ernesto Rosiel, Tomas Bariel, Estanislao Barilla, Alejandro Canilan, Joaquin Duruque, Manuel de la Cruz, Marciano Alaska, and Lope Cuesta, for being guerrilla suspects. After the torture they were beheaded. This charge has been proven by the testimony of Teodoro Vedano, Dionisio Cuesta, Bernardino Gallato, and Rosario Derupe.

As to Count No. 13, it has been proven that in the month of March, 1945 the appellant, with thirty Japanese soldiers raided the barrio of Upi, municipality of Gamu, and arrested Manuel, Pedro, and Juan Esteban, Florencio Manuel and Aurelio Bulen, taking them to the Japanese garrison where they were tortured and executed. This charge has been proven by the testimony of Maria Esteban and Visitacion Manuel.

The defendant denied the above charges. No motive has been pointed out by the defense as to why the numerous witnesses for the prosecution should have testified falsely against the defendant in so serious a matter. It is beyond belief that all those witnesses conspired to secure the conviction of the accused of a very serious crime, the commission of which was more or less public. Especially Petronila Agub, a respectable resident of Gamu, would not have narrated with tears in her eyes the rapes to which she had been subjected, brought about by the defendant, if they were not true.

The defendant presented witnesses to prove that he had helped some guerrillas, saving some of them from the clutches of the Japanese, and that he had furnished supplies to the guerrillas. These acts, however, assuming them to be true, do not constitute either an exempting or mitigating circumstance. As held in *People vs. Carmelito Victoria* (44 Off. Gaz., No. 7, p. 2230),

"The performance of righteous actions, no matter how meritorious they may be, is not a justifying, exempting,

or mitigating circumstance in the commission of wrongs, and although appellant has saved the lives of a thousand and one persons, if he had caused the killing of a single human being to give aid and comfort to the enemy, he is, nonetheless, a traitor." (Syllabus)

In view of the foregoing, the Judgment appealed from affirmed, with costs against the appellant.

IT IS SO ORDERED.

Paras, C. J., Feria, Pablo, Bengzon, Padilla, Tuason, Montemayor, Reyes, Jugo, and Bautista Angolo, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.